



Docket No.: 16159/023001; P6425
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Syed M. Ali, et al.

Conf. No.: 7806

Application No.: 10/004,971

Art Unit: 2194

Filed: December 3, 2001

Examiner: Lechi Truong

For: APPLICATION-INDEPENDENT API FOR
DISTRIBUTED COMPONENT
COLLABORATION

32615
PATENT TRADEMARK OFFICE

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Claims 1, 3-5, 6, 8-9, 12, 13, 16, 18, 19, and 20-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,496,865 ("Sumsion") in view of U.S. Patent No. 6,947,965 ("Glass"). In maintaining the above rejection and issuing a final rejection, the Applicant asserts that the Examiner has failed to satisfy the requirements set forth in MPEP § 2143. Specifically, in order to establish a *prima facie* obviousness rejection, MPEP § 2143 requires that "the prior art reference (or references when combined) must teach or suggest all the claim limitations."

Turning to the claims, claim 1 recites:

A computer implemented method for a system having distributed collaborating components, comprising:
restricting direct interaction between a first distributed collaborating component and a second distributed collaborating component by introducing an application-independent interface between the first and second distributed collaborating components;
invoking a service from the application-independent interface to enable interaction between the first and second distributed collaborating components; and
sending a usage specification as an argument to the application-independent interface, wherein the usage specification comprises a server object and a plurality of attributes associated with the server object that are requested by the first distributed collaborating component from the second distributed collaborating component,
wherein the application-independent interface is configured to:
interpret the usage specification to determine the plurality of attributes to fetch from the second distributed collaborating component;
obtain the plurality of attributes from the second distributed collaborating component; and
provide the first distributed collaborating component with the plurality of attributes. [Emphasis Added]

Independent claim 1 explicitly requires (i) sending a usage specification as an argument to the application-independent interface; and (ii) interpreting the usage specification to determine the plurality of attributes to fetch from the second distributed collaborating component. Moreover, the claims clearly recite that the usage specification includes “a server object and a plurality of attributes associated with the server object...” Said another way, the usage specification is a specification, which at a minimum, specifies a server object (as opposed to being an object itself) and specific attributes of the server object that need to be fetched (as opposed to fetching the entire object).

The Examiner has admitted that Sumsion does not teach sending a usage specification as an argument or that the usage specification comprises a server object and a plurality of attributes associated with the server object (See Office Action mailed February 16, 2006, page 3). However, the Examiner has asserted that Glass teaches the usage specification as recited in the pending claims. Glass teaches a system that allows communication between compatible and non-compatible object request brokers (ORBs). (See Glass, col. 3, ll. 66 – col. 4, ll. 2). ORBs are specifically related to providing a method for messaging between objects in Common Object Request Broker Architecture (CORBA). However, the teachings

of Glass are not equivalent to the usage specification as recited in independent claim 1. Specifically, Glass does not teach or suggest any file (*i.e.*, usage specification), sent as an argument to the application-independent interface, where the specification identifies a server object and a plurality of attributes associated with the server object that are to be fetched from a second distributed collaborating component to be provided to a first distributed collaborating component. Further, Glass fails to teach interpreting a usage specification to determine the plurality of attributes of a server object that are to be fetched (based on usage) from the second distributed collaborating component.

Specifically, the Examiner asserts that Glass teaches sending a usage specification, *as an argument*, to the application-independent interface. Applicant respectfully disagrees. Glass discloses “The method of remote proxy 154 invoked by client application 108 packages the arguments for the requested method and passes them to reference object 158...” (*See* Glass, col. 13, ll. 42-45). The arguments disclosed in the cited portion of Glass refer to *objects or variables* (or variables as references to objects) that are sent as part of the requested method. Nothing in Glass discloses that any of these arguments are a *usage specification*, which is wholly different than an object or a variable itself, as clearly recited in the claims and discussed above. The usage specification recited in the claims cannot be one of the arguments (*i.e.*, objects, variables, or references to objects) taught in Glass because the usage specification specifies how these exact arguments taught in Glass are actually *used*. Bottom line, a specification that defines usage of objects cannot be the objects (or references to the objects) themselves. Accordingly, to read the *usage specification* as equivalent to an object or variable effectively reads out an explicit limitation of the claim--this is improper.

Further, the Examiner asserts that Glass discloses “interpreting a usage specification to determine a server object and a plurality of attributes to fetch from the second distributed collaborating component.” The Applicant respectfully asserts that the interpretation of Glass asserted by the Examiner with respect to this claim limitation is overly broad and has effectively removed explicitly stated limitations within the claims.

In particular, the Examiner has construed that teachings in Glass directed to encoding and decoding of messages between the client-side ORB and the server-side ORB (*see* Office Action mailed February 16, 2006, page 4) to be equivalent to the limitation “interpreting the usage specification to determine the plurality of attributes to fetch from the second distributed

collaborating component.” However, the encoding/decoding of the arguments is completely unrelated to the interpreting of a usage specification because the arguments of the requested method are only encoded and decoded to correspond to the communication protocol of each of the ORBs (*See* Glass, col. 13, ll. 45-54). Encoding and decoding are simply transformations of the arguments themselves for security/communication purposes and does not involve any interpretation of a description (*i.e.*, specification) of usage to make a determination of what server object (and attributes) to fetch from another distributed collaborating component. Because Glass (as discussed above) fails to disclose that any of the arguments are usage specifications, it logically flows that it would never be necessary to interpret the arguments disclosed in Glass. In fact, the arguments passed in Glass are simply variables, objects, or references to the objects and are not in the form of a specification about how the variable or object is *used*, so no interpretation of the argument itself is required. Thus, it is clear from the disclosure in Glass that the arguments are *not* interpreted in any way to determine specific attributes of a server object to fetch from a distributed collaborating component. Reading Glass so broadly as to teach that such interpretation is taught would be improper and results in a nonsensical result.

Finally, independent claims 1 clearly recites that the usage specification is interpreted to determine the plurality of attributes of a server object that need to be fetched from a second distributed collaborating component. Said another way, the entire server object including all its attributes is not fetched in the present invention. Rather, the usage specification allows a user to specify *only the necessary attributes* of a server object that need to be fetched. In contrast, Glass fails to disclose or suggest providing specified attributes of a server object to the client application. Rather, Glass specifically discloses that the *result* of the processed method is provided to the client application. The result disclosed in Glass contains the entire result of the processed method, and does not contain only the attributes specified by a usage specification.

In view of the above, the Examiner has failed to show that all of the claim limitations of independent claim 1 are taught by Sumsion and Glass. Thus, the Examiner failed to satisfy the requirements set forth in MPEP § 2143. Independent claims 4, 6, 16, 22, and 24 include essentially the same limitations as independent claim 1. Thus, the Examiner failed to satisfy

the requirements set forth in MPEP § 2143 with respect to independent claims 4, 6, 16, 22, and 24 for at least the same reasons as independent claim 1.

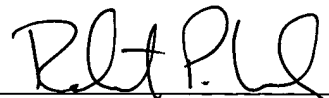
Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sumsion and Glass in view of Admitted Prior Art ("APA"). As discussed above, the Examiner failed to satisfy the requirements set forth in MPEP § 2143 with respect to independent claims 1, 4, 6, 16, 22, and 24. Each of claims 10 and 11 depend from one of the aforementioned independent claims. Thus, the Examiner has also failed to satisfy the requirements set forth in MPEP § 2143 with respect to 10 and 11 for at least the same reasons as discussed above with respect to independent claims 1, 4, 6, 16, 22, and 24.

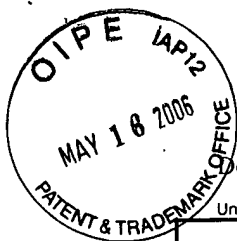
Conclusion

In view of the above, the Examiner has failed to satisfy the requirements set out in MPEP §2143. Accordingly, a favorable decision from the panel is respectfully requested. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 16159/023001; P6425).

Dated: May 16, 2006

Respectfully submitted,

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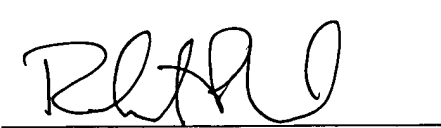
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PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)
		16159/023001; P6425
	Application Number 10/004,971-Conf. #7806	Filed December 3, 2001
	First Named Inventor Syed M. Ali, et al.	
	Art Unit 2194	Examiner L. Truong
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>46,479</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p> <p> _____ Signature</p> <p><u>Robert P. Lord</u> _____ Typed or printed name</p> <p><u>(713) 228-8600</u> _____ Telephone number</p> <p><u>May 16, 2006</u> _____ Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>		